

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 13TH DAY OF NOVEMBER, 2013 AT 7:00 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	James D. Politis	-Chair
	William H. Brown	-Vice Chair
	Mary W. Biggs	-Supervisors
	Christopher A. Tuck	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Deputy County Administrator
	Martin M. McMahon	-County Attorney
	Brian Hamilton	-Economic Development Director
	Karen Edmonds	-Human Resources Director
	Vickie L. Swinney	-Secretary, Board of Supervisors
ABSENT:	Gary D. Creed	-Supervisors
	Matthew R. Gabriele	
	Annette S. Perkins	

CALL TO ORDER

The Chair turned the meeting over to the Vice-Chair and the Vice-Chair called the meeting to order.

INTO CLOSED MEETING

On a motion by Mary W. Biggs, seconded by Christopher A. Tuck and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711 (5) Discussion Concerning a Prospective Business or Industry or the Expansion of an Existing Business or Industry Where No Previous Announcement Has Been Made of the Business or Industry's Interest in Locating or Expanding Its Facilities in the Community.

1. Project # 2013-028

The vote on the forgoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Christopher A. Tuck	None	Gary D. Creed
Mary W. Biggs		Annette S. Perkins
William H. Brown		Matthew R. Gabriele
James D. Politis		

OUT OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the forgoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Christopher A. Tuck	None	Gary D. Creed
Mary W. Biggs		Annette S. Perkins
William H. Brown		Matthew R. Gabriele
James D. Politis		

CERTIFICATION OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

Christopher A. Tuck
Mary W. Biggs
William H. Brown
James D. Politis

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

Gary D. Creed
Annette S. Perkins
Matthew R. Gabriele

INVOCATION

A moment of silence was led by the Vice-Chair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PRESENTATION

Recognition - Retiree

The Board of Supervisors recognized Ann B. Dalton who retired with 33 years of service with the Department of Social Services.

DELEGATION

Virginia Department of Transportation

David Clarke, VDOT's Residency Administrator, provided an update on road projects/issues in Montgomery County as follows:

- Wake Forest Road – drainage project complete. VDOT replaced a collapsed drain pipe.
- McCoy Road – drainage project started. VDOT will correct drainage issues on McCoy Road.

- Sourwood Road – dirt glue project completed. VDOT will monitor Sourwood Road throughout the year to determine if this process can be done on other roads.
- Southgate Drive Interchange – A public hearing will be held on this project in the near future.
- Summer paving – completed 2 1/2 miles of Camp Carysbrook Road.

The Vice-Chair turned the meeting back over to the Chair.

INTO WORK SESSION

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. Community Development Authority – First & Main Commercial Project

The vote on the forgoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
William H. Brown	None	Gary D. Creed
Christopher A. Tuck		Annette S. Perkins
Mary W. Biggs		Matthew R. Gabriele
James D. Politis		

First & Main Commercial Project

Nate Kiser with the Chrysolite Management Group provided an update on the First & Main project in Blacksburg. Mr. Kiser reported that the First & Main property is under new ownership. The new owners continue to move forward to develop the property into a retail hub and are engaging national retail brokers for tenants. A major marketing study to research strategies for promoting the center as a regional destination is underway. They are also continuing their focus on engaging the community with community events, such as the Fork & Cork, Brew Do, Halloween Festival Boo Do. One major announcement this past June was the development of IMAX Cinebowl & Grille at First & Main. Mr. Kiser reported that future plans include preparing five additional site pads for development and working out parking issues for future development.

Community Development Authority

John Markowitz, Stifel Nicolaus, presented information on Community Development Authorities (CDA). A Community Development Authority is an Authority authorized by the City Council or County Board of Supervisors and granted the power to finance, fund, establish, acquire, construct, equip, operate and maintain infrastructure improvements. A CDA can issue bonds to

provide financing for infrastructure improvements. The debt or obligation of a CDA is not the debt or obligation of the City or County. CDA bonds are repaid by either assessments, tax increment financing (TIF) or a combination of both. A CDA allows economic development or redevelopment projects that otherwise may not move forward in today's economy and attracts prospects by having infrastructure financing plans in place.

Mr. Markowitz provided several examples of development through CDA's as follows:

- Dulles Town Center in Loudoun County, Va. A \$29.5 million bond provided funds for public infrastructure improvements, which included roads, sidewalks, traffic signals, public water and sewer lines.
- Virginia Gateway in Prince William County, Va. A \$11.7 million bond provided funds to finance public infrastructure improvements.
- City Market at O Street in Washington D.C. A \$38.6 million bond provided funds for acquisition, construction, installation, and equipping of project and parking garage.

Jeff Mitchell, Mitchell Law Firm in Blacksburg, presented information on the need for creating a Community Development Authority in Montgomery County. A CDA can help offset the cost for a parking garage at First & Main. Mr. Mitchell stated a more detailed presentation and will be provided in 2014.

OUT OF WORK SESSION

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the forgoing motion was as follows:

AYE

Christopher A. Tuck
Mary W. Biggs
William H. Brown
James D. Politis

NAY

None

ABSENT

Gary D. Creed
Annette S. Perkins
Matthew R. Gabriele

PUBLIC ADDRESS

Sam Young expressed concerns that the County has not made available public water to the residents along Bradford Lane in Christiansburg. Mr. Young reported that public sewer lines were constructed years ago and they thought public water lines were going to be put in also.

There being no further speakers, the public address session was closed.

CONSENT AGENDA

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously, the Consent Agenda dated November 13, 2013 was approved.

The vote on the foregoing motion was as follows:

AYE

Mary W. Biggs
William H. Brown
Christopher A. Tuck
James D. Politis

NAY

None

ABSENT

Gary D. Creed
Matthew R. Gabriele
Annette S. Perkins

Approval of Minutes

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously, the minutes dated May 28, 2103 were approved.

Schedule Public Hearings

R-FY-14-57

RESOLUTION SCHEDULING A PUBLIC HEARING ON A PROPOSED ORDINANCE CHANGING THE REQUIREMENT FOR APPOINTING MEMBERS TO THE TOURISM DEVELOPMENT COUNCIL AND THE PROCESS FOR REVIEWING TAX REVENUES PROVIDED IN THE ORGANIZATIONAL COOPERATIVE AGREEMENT BETWEEN MONTGOMERY COUNTY AND THE TOWNS OF BLACKSBURG AND CHRISTIANSBURG FOR THE CREATION AND IMPLEMENTATION OF THE JOINT TOURISM PROGRAM

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors hereby agrees to schedule a public hearing for Monday, December 16, 2013 at 7:30 p.m. or as soon thereafter, in the Board Chambers of the Montgomery County Government Center, 755 Roanoke Street, Christiansburg, Virginia for the purpose of receiving comments on the proposed Ordinance Changing the Requirement for Appointing Members to the Tourism Development Council and the Process for Reviewing Tax Revenues Provided in the Organizational Cooperative Agreement between Montgomery County and the Towns of Blacksburg and Christiansburg for the Creation and Implementation of the Joint Tourism Program.

R-FY-14-58
**RESOLUTION SCHEDULING A PUBLIC HEARING ON A
PROPOSED ORDINANCE AUTHORIZING THE OPERATION OF
GOLF CARTS AND UTILITY VEHICLES ON WARM HEARTH DRIVE AND
LITTON LANE WITHIN THE WARM HEARTH VILLAGE**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby agrees to schedule a public hearing for Monday, December 16, 2013 at 7:30 p.m. or as soon thereafter in the Board Chambers in the Montgomery County Government Center, 755 Roanoke Street, Christiansburg, Virginia for the purpose of receiving citizen comments on the proposed Ordinance Authorizing the Operation of Golf Carts and Utility Vehicles on Warm Hearth Drive and Litton Lane within the Warm Hearth Village.

Appropriations and Transfers

A-FY-14-49
BOARD OF SUPERVISORS
RECOVERED COSTS

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2014, for the function and in the amount as follows:

100	Board of Supervisors	\$3,247
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
419108	Recovered Costs
	\$3,247

Said resolution appropriates recovered costs for postage machine expenses.

A-FY-13-50
GENERAL SERVICES
RECOVERED COSTS

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2014 for the function and in the amount as follows:

400	General Services	\$88,000
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
419108	Recovered Costs
	\$88,000

Said resolution appropriates utility and housekeeping fees collected from the Schools for services provided by the County in Building C.

A-FY-14-51
MONTGOMERY-FLOYD REGIONAL LIBRARY
TRANSFER FROM THE FLOYD LIBRARY

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

<u>FROM:</u>	
720	Floyd Library
	(\$5,200)

<u>TO:</u>	
710	Regional Library
	\$5,200

Said resolution transfers funds from the Floyd Library to the Regional Library to help cover costs associated with the purchase of library furniture.

A-FY-14-52
PARKS AND RECREATION
TRANSFER FROM GENERAL CONTINGENCIES
TO COUNTY CAPITAL PROJECTS

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2014, for the function and in the amount as follows:

451209	Transfer to County Capital Projects	\$8,747
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The source of funds for the foregoing appropriation is as follows:

950	General Contingencies	\$8,747
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BE IT FURTHER RESOLVED, The County Capital Projects fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2014 for the function and in the amount as follows:

127003PR	Parks Revitalization	\$8,747
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The source of funds for the foregoing appropriation is as follows:

451100	Transfer from General Fund	\$8,747
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Said resolution transfers funds from the General Contingencies for the County's Share of replacing deck boards on the Huckleberry Trail Bridge.

The vote on the foregoing resolution was as follows:

AYE

Mary W. Biggs
William H. Brown
Christopher A. Tuck
James D. Politis

NAY

None

ABSENT

Gary D. Creed
Matthew R. Gabriele
Annette S. Perkins

A-FY-14-53
SHERIFF
DMV GRANT

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2014, for the function and in the amount as follows:

321	Sheriff Grants	\$10,000
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
424401	State Grants
	\$10,000

Said resolution appropriates monies received from a DMV grant for the Sheriff's Department.

A-FY-14-54
SHERIFF – RECOVERED COSTS

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2014, for the function and in the amount as follows:

320	Sheriff County	\$25,331
322	Sheriff Project Lifesaver	<u>\$ 475</u>
	Total	\$25,806

The sources of the funds for the foregoing appropriation are as follows:

<u>Revenue Account</u>	
419108	Recovered Costs
424401	Project Lifesaver
	<u>\$ 475</u>
	Total
	\$25,806

Said resolution appropriates recovered costs and Project Lifesaver funds.

**A-FY-14-55
TREASURER
DMV STOP FEES**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2014 for the function and in the amount as follows:

162	Treasurer's Collections	\$6,508
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The sources of the funds for the foregoing appropriation are as follows:

<u>Revenue Account</u>	
411605	DMV Stop Fee
416010	Warrant-In-Debt Fees
	<u>\$ 28</u>
Total	\$6,508

Said resolution appropriates DMV Stop Fees and Warrant in Debt Fees collected to pay the associated fee to the DMV and Commonwealth of Virginia.

OLD BUSINESS

**ORD-FY-14-15
AN ORDINANCE RENEWING
AGRICULTURAL AND FORESTAL DISTRICT (AFD-7) WILSON/DEN CREEK
CONSISTING OF APPROXIMATELY 2862.9118 ACRES
IN THE SHAWSVILLE MAGISTERIAL DISTRICT (DISTRICT C)
WITHIN MONTGOMERY COUNTY, VIRGINIA**

On a motion by Christopher A. Tuck, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, Adelia Arrington, Julia S. Milton, Richard G. Ballengee Trust, Michael E. Snyder, Kristi W. Snyder, Stacy Anne Snyder, John C. Lipsey Estate C/O Lynn Lipsey Executor, Ena J. Blake Moles Heirs C/O Jerry Allen Moles, Stephen J. & Revonda B. Brumfield, and Gary B. Quesenberry have filed applications for the renewal of AFD-7, which Agricultural and Forestal District was created by an ordinance adopted on the 5th day of October, 1981; renewed by an ordinance adopted on the 11th day of October, 2005; and

WHEREAS, The existing AFD-7 members were notified by U.S. Mail concerning the renewal of the current term and asked to file an application to continue the district; and

WHEREAS, The applications were referred to the Agricultural and Forestal District Advisory Committee and said Committee has reviewed the application and reported its findings and recommendations on September 5, 2013; and

WHEREAS, The Planning Commission did publish notice of the pendency of the applications on June 13, 2013; June 20, 2013; September 26, 2013; October 3, 2013; and October 10, 2013, in The Roanoke Times, The Burgs section, a newspaper of general circulation within Montgomery County, Virginia; and

WHEREAS, The Planning Commission held a public meeting on October 9, 2013; and

WHEREAS, The Planning Commission forwarded the applications with its findings and recommendation for approval to the Board of Supervisors on October 11, 2013; and

WHEREAS, The Board of Supervisors after proper notice, held its public hearing on October 28, 2013.

NOW, THEREFORE, BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia, as follows:

1. That the conservation, protection and encouragement of the development and improvement of its agricultural and forestal land for the production of food and other agricultural and forestal products is vital to the public interest, and that the conservation and protection of these lands as a valued natural and ecological resource as well as economic and environment resource of major importance is also in the public interest.
2. That this Agricultural and Forestal District, AFD-7, has been reviewed and is hereby continued and renewed for a term of eight years terminating on December 31, 2021, in accordance with the provisions of Title 15.2, Chapter 36, Sections 15.2-4300 through 15.2-4314 Code of Virginia, 1950, as amended.
3. That said District as renewed shall consist of approximately 2862.9118 acres in the Wilson/Den Creek Agricultural and Forestal District of Montgomery County, and shall include the following parcels:

PARCEL_ID	OWNER1	ACRES
001995	Adelia Arrington	223.082
018598	Julia S Milton & Stewart Milton	38.8
018593	Julia S Milton	355.758
010356	Richard G Ballengee Tr	152.5
024624	Michael E Snyder	22.808
010028	Michael E Snyder	6
026090	Michael E & Kristi W Snyder	103.4795
090196	Michael E & Kristi W Snyder	4.7933
000805	Michael E Snyder	406.787

030150	Stacy Anne Snyder	220.76
080560	John C Lipsey Estate C/O Lynn Lipsey Executor	159.035
011268	John C Lipsey Estate C/O Lynn Lipsey Executor	455.842
012909	Ena J Blake Moles Heirs C/O Jerry Allen Moles	31.92
012910	Ena J Blake Moles Heirs C/O Jerry Allen Moles	38.8
012904	Ena J Blake Moles Heirs C/O Jerry Allen Moles	131.561
012911	Ena J Blake Moles Heirs C/O Jerry Allen Moles	23.8
002684	Stephen J & Revonda B Brumfield	124.88
170248	Stephen J & Revonda B Brumfield	16.5
033688	Gary B Quesenberry	46.99
030055	Michael E Snyder	109.179
013693	Michael E Snyder	157.427
018319	Michael E Snyder	4
015335	Michael E Snyder	18.35
018320	Michael E Snyder	0.6
018318	Michael E Snyder	9.26

4. That these parcels may qualify for land use value assessment provided the parcels meet the criteria of Section 58.1-3230 and 58.1-3233 of the Code.
5. That the owners of land within said District shall not terminate the District except in accordance with Section 15.2-4314 of the Code.
6. That lawful termination of any owner's association of the District shall not serve to terminate the existence of the District but the District shall continue in effect until the review required by Section 15.2-4311 of the Code.
7. That all County ordinances and regulations shall be applicable within said District; provided such ordinance and regulations are consistent with the Agricultural and Forestal Districts Act. Further, the Planning Commission is hereby advised that it is the intent of the Board of Supervisors that land use planning decisions or ordinances enacted to implement same shall take into account the special status of both land adjacent to said District and land lying within said District.
8. That an exception for secondary roads either within or along the boundary of said District is hereby created and consequently, there is hereby excepted from said District a strip of land extending twenty-five (25) feet on both sides of the center line of all existing secondary roads within or along the boundary of said District from this ordinance.
9. That the landowners of said District who do not already have either a conservation plan for agricultural and or a forestry management plan for forest lands shall apply to the appropriate agency for the preparation of such a plan and submit said plan to the Planning Department by December 31, 2014.

This ordinance shall take effect upon its adoption.

The vote on the foregoing ordinance was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Christopher A. Tuck	None	Gary D. Creed
Mary W. Biggs		Matthew R. Gabriele
William H. Brown		Annette S. Perkins
James D. Politis		

ORD-FY-14-16
AN ORDINANCE RENEWING
AGRICULTURAL AND FORESTAL DISTRICT (AFD-9) ELLISTON/PEDLAR HILLS
CONSISTING OF APPROXIMATELY 4688.117 ACRES
IN THE SHAWSVILLE MAGISTERIAL DISTRICT (DISTRICT C)
WITHIN MONTGOMERY COUNTY, VIRGINIA

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

WHEREAS, Justin S Askins, Lowell Elmer Bower Et Al, Sally H Brammer, John G & Donna A Conner Le, Fotheringay LLC, Graham Farm & Rentals LLC, Joyce L Graham, Randolph Howard Leech & Irene Ellis, Madison E Marye Rev Trust, James Madison Marye & Charlotte M Hawes, MB Development LLC, Julia S Milton, Holly R Sutphin, Andrea Weddle, Sally H Brammer have filed applications for the renewal of AFD-9, which Agricultural and Forestal District was created by an ordinance adopted on the 27th day of September, 1982; renewed by an ordinance adopted on the 11th day of October, 2005; and

WHEREAS, The existing AFD-9 members were notified by U.S. Mail concerning the renewal of the current term and asked to file an application to continue the district; and

WHEREAS, The applications were referred to the Agricultural and Forestal District Advisory Committee and said Committee has reviewed the applications and reported its findings and recommendations on September 5, 2013; and

WHEREAS, The Planning Commission did publish notice of the pendency of the applications on June 13, 2013; June 20, 2013; September 26, 2013; October 3, 2013; and October 10, 2013, in The Roanoke Times, The Burgs section, a newspaper of general circulation within Montgomery County, Virginia; and

WHEREAS, The Planning Commission held a public meeting on October 9, 2013; and

WHEREAS, The Planning Commission forwarded the applications with its findings and recommendation for approval to the Board of Supervisors on October 11, 2013; and

WHEREAS, The Board of Supervisors after proper notice, held its public hearing on October 28, 2013.

NOW, THEREFORE, BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia, as follows:

1. That the conservation, protection and encouragement of the development and improvement of its agricultural and forestal land for the production of food and other agricultural and forestal products is vital to the public interest, and that the conservation and protection of these lands as a valued natural and ecological resource as well as economic and environment resource of major importance is also in the public interest.
2. That this Agricultural and Forestal District, AFD-9, has been reviewed and is hereby continued and renewed for a term of eight years terminating on December 31, 2021, in accordance with the provisions of Title 15.2, Chapter 36, Sections 15.2-4300 through 15.2-4314 Code of Virginia, 1950, as amended.
3. That said District as renewed shall consist of approximately 4688.117 acres in the Elliston/Pedlar Hills Agricultural and Forestal District of Montgomery County, and shall include the following parcels:

PARCEL_ID	OWNER1	ACRES	OUTLIER
030634	Justin S Askins	140.5000	No
002212	Lowell Elmer Bower Et Al	325.4790	No
008617	Sally H Brammer	60.1200	No
008618	Sally H Brammer	74.1000	No
020608	Sally H Brammer	132.0000	No
011871	John G & Donna A Conner	57.1380	Yes
030098	John G & Donna A Conner	18.4130	Yes
013680	Fotheringay LLC	188.1000	No
013681	Fotheringay LLC	37.8240	No
013682	Fotheringay LLC	15.3000	No
013683	Fotheringay LLC	60.7000	No
013684	Fotheringay LLC	304.4000	No
007386	Graham Farm & Rentals LLC	380.0000	No
007387	Graham Farm & Rentals LLC	145.0000	No
007382	Joyce L Graham	0.2000	No
007385	Joyce L Graham	7.0000	No
013169	Randolph Howard Leech & Irene Ellis	73.2090	No

008419	Madison E Marye Rev Trust	291.7000	No
011962	Madison E Marye Rev Trust The	263.1750	No
120046	Madison E Marye Rev Trust The	1.0000	No
032862	James Madison Marye & Charlotte M Hawes	909.5060	No
080620	MB Development LLC	67.7600	No
018586	Julia S Milton	60.9350	No
018588	Julia S Milton	711.4900	No
018590	Julia S Milton	95.0000	No
018592	Julia S Milton	7.6790	No
018596	Julia S Milton	202.5890	No
018600	Julia S Milton	46.7900	No
011021	Holly R Sutphin	6.0100	No
130923	Andrea Weddle	2.0000	No
013256	Sally H Brammer	3.0000	No

4. That the “outlier parcels”, denoted in the listing shown above are specifically included in AFD 9 (Elliston/Pedlar Hills), per section § 15.2-4305 of the Code of Virginia, for their agricultural and forestall significance to Montgomery County.
5. That these parcels may qualify for land use value assessment provided the parcels meet the criteria of Section 58.1-3230 and 58.1-3233 of the Code.
6. That the owners of land within said District shall not terminate the District except in accordance with Section 15.2-4314 of the Code.
7. That lawful termination of any owner’s association of the District shall not serve to terminate the existence of the District but the District shall continue in effect until the review required by Section 15.2-4311 of the Code.
8. That all County ordinances and regulations shall be applicable within said District; provided, such ordinance and regulations are consistent with the Agricultural and Forestal Districts Act. Further the Planning Commission is hereby advised that it is the intent of the Board of Supervisors that land use planning decisions or ordinances enacted to implement same shall take into account the special status of both land adjacent to said District and land lying within said District.
9. That an exception for secondary roads either within or along the boundary of said District is hereby created and consequently, there is hereby excepted from said District a strip of land extending twenty-five (25) feet on both sides of the center line of all existing secondary roads within or along the boundary of said District from this ordinance.

10. That the landowners of said District who do not already have either a conservation plan for agricultural and or a forestry management plan for forest lands shall apply to the appropriate agency for the preparation of such a plan and submit said plan to the Planning Department by December 31, 2014.

This ordinance shall take effect upon its adoption.

The vote on the foregoing ordinance was as follows:

AYE

Christopher A. Tuck
Mary W. Biggs
William H. Brown
James D. Politis

NAY

None

ABSENT

Gary D. Creed
Matthew R. Gabriele
Annette S. Perkins

ORD-FY-14-17
AN ORDINANCE RENEWING PARCELS COMPRISING
AGRICULTURAL AND FORESTAL DISTRICT (AFD-10) MOUNT TABOR
CONSISTING OF APPROXIMATELY 915.2845 ACRES
AND COMBINING AFD-10 WITH AFD-2 (CATAWBA)
IN THE MOUNT TABOR MAGISTERIAL DISTRICT (DISTRICT A)
WITHIN MONTGOMERY COUNTY, VIRGINIA

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

WHEREAS, Johnny Lee & Flora Cox, Virginia E Cox Life Estate C/O Mildred C Lafon, Dessy Living Trust C/O Raymond E & Annabelle Dessy, David L Emanuel & Deborah E. Hammond, Dan E Eversole, Joshua B Fugate Le Etal C/O Sharon Linkous Etal, James L & Phyllis M Hutton, Robert M & Donna Thomas Jones, Aaron L & Jeannie Lafon, Mildred Cox Lafon, Margaret McGraw Slayton Liv Tr, J Phillip Pickett Rev Trust, John C Schug, D Phillip & Torsten D. Sponenberg, Thomas W & Bonnie B Triplett, Carl E Zipper have filed applications for the renewal of AFD-10, which Agricultural and Forestal District was created by an ordinance adopted on the 12th day of October, 1982; renewed by an ordinance adopted on the 11th day of October, 2005; and

WHEREAS, The existing AFD-10 members were notified by U.S. Mail concerning the renewal of the current term and asked to file an application to continue the district; and

WHEREAS, The applications were referred to the Agricultural and Forestal District Advisory Committee and said Committee has reviewed the application and reported its findings and recommendations on September 5, 2013; and

WHEREAS, The Planning Commission did publish notice of the pendency of the applications on June 13, 2013; June 20, 2013; September 26, 2013; October 3, 2013; and October 10, 2013, in The Roanoke Times, The Burgs section, a newspaper of general circulation within Montgomery County, Virginia; and

WHEREAS, The Planning Commission held a public meeting on October 9, 2013; and

WHEREAS, The Planning Commission forwarded the applications with its findings and recommendation for approval to the Board of Supervisors on October 11, 2013; and

WHEREAS, The Board of Supervisors after proper notice, held its public hearing on October 28, 2013.

NOW, THEREFORE, BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia, as follows:

1. That the conservation, protection and encouragement of the development and improvement of its agricultural and forestal land for the production of food and other agricultural and forestal products is vital to the public interest, and that the conservation and protection of these lands as a valued natural and ecological resource as well as economic and environment resource of major importance is also in the public interest.
2. That this Agricultural and Forestal District, AFD-10, has been reviewed and terminated. The parcels within AFD-10 are hereby transferred to Agricultural and Forestal District, AFD-2 (Catawba) and renewed for a term of six years terminating on December 31, 2019, to conform to the current renewal period of AFD-2 and in accordance with the provisions of Title 15.2, Chapter 36, Sections 15.2-4300 through 15.2-4314 Code of Virginia, 1950, as amended.
3. That said parcels renewed shall consist of approximately 915.2845 acres currently in the Mount Tabor Agricultural and Forestal District of Montgomery County, and shall include the following:

PARCEL_ID	OWNER	ACRES
004082	Johnny Lee & Flora Cox	57.2890
010527	Virginia E Cox Life Estate C/O Mildred C Lafon	9.4740
004928	Dessy Living Trust C/O Raymond E & Annabelle Dessy	34.3000
110873	David L Emanuel & Deborah E. Hammond	15.0000
033276	Eversole Dan E	40.6330
006739	Joshua B Fugate Le Etal C/O Sharon Linkous Etal	184.2940
009443	James L & Phyllis M Hutton	15.0830

026945	James L & Phyllis M Hutton	37.0170
024588	Robert M & Donna Thomas Jones	37.1930
024591	Robert M & Donna Thomas Jones	9.2450
025407	Robert M & Donna Thomas Jones	21.2000
025714	Robert M & Donna Thomas Jones	4.5160
025795	Robert M & Donna Thomas Jones	0.7280
010526	Aaron L & Jeannie Lafon	3.7280
004081	Mildred Cox Lafon	1.0000
150069	Mildred Cox Lafon	50.0000
150070	Mildred Cox Lafon	21.3150
024590	Margaret McGraw Slayton Liv Tr	89.1260
028993	J Phillip Pickett Rev Trust	20.2120
016722	John C Schug	62.7800
019473	D Phillip & Torsten D. Sponenberg	12.8000
019476	D Phillip & Torsten D. Sponenberg	84.3000
019477	D Phillip & Torsten D. Sponenberg	23.1530
024589	Thomas W & Bonnie B Triplett	32.4890
025406	Thomas W & Bonnie B Triplett	10.5210
026225	Thomas W & Bonnie B Triplett	1.7520
027723	Thomas W & Bonnie B Triplett	4.6210
110874	Carl E Zipper	10.0000
033708	Carl E Zipper	21.5164
	Total Acreage	915.2854

4. That these parcels may qualify for land use value assessment provided the parcels meet the criteria of Section 58.1-3230 and 58.1-3233 of the Code.
5. That the owners of land within said District shall not terminate the District except in accordance with Section 15.2-4314 of the Code.
6. That lawful termination of any owner's association of the District shall not serve to terminate the existence of the District but the District shall continue in effect until the review required by Section 15.2-4311 of the Code.

7. That all County ordinances and regulations shall be applicable within said District; provided, such ordinance and regulations are consistent with the Agricultural and Forestal Districts Act. Further the Planning Commission is hereby advised that it is the intent of the Board of Supervisors that land use planning decisions or ordinances enacted to implement same shall take into account the special status of both land adjacent to said District and land lying within said District.
8. That an exception for secondary roads either within or along the boundary of said District is hereby created and consequently, there is hereby excepted from said District a strip of land extending twenty-five (25) feet on both sides of the center line of all existing secondary roads within or along the boundary of said District from this ordinance.
9. That the landowners of said District who do not already have either a conservation plan for agricultural and or a forestry management plan for forest lands shall apply to the appropriate agency for the preparation of such a plan and submit said plan to the Planning Department by December 31, 2014.

This ordinance shall take effect upon its adoption.

The vote on the foregoing ordinance was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	Gary D. Creed
William H. Brown		Matthew R. Gabriele
Christopher A. Tuck		Annette S. Perkins
James D. Politis		

COUNTY ADMINISTRATOR'S REPORT

The County Administrator reported on the following:

School Board Request for One-Time Funds for Security Equipment

The School Board is requesting a one-time appropriation of \$388,000 for school security equipment. Staff is reviewing the request and had discussions with the School Finance Department about funding this request with existing funds in the School's capital account to cover the cost. A resolution for consideration will be provided on the Board's November 25, 2013 agenda.

A copy of the letter of request is as follows:

"November 6, 2013
F. Craig Meadows, County Administrator
County of Montgomery
755 Roanoke Street, Suite 2E

Christiansburg, VA 24073-3179

RE: Request for One Time Funds

Dear Mr. Meadows:

The purpose of this letter is to request \$388,000 in one time funding for security equipment, as approved by the Montgomery County Public Schools School Board on November 5, 2013. Improvement in security equipment at all MCPS schools is a priority in order to address changes in school security protocols and prevention measures that have emerged over the last year. This request is forwarded for consideration by the Board of Supervisors. At the time of initial budget discussion in the spring of 2013, the total cost of necessary security enhancements was not known. Prior to establishing the amount for this request, the school system pursued possible grant funding and worked with local law enforcement to establish basic security equipment standards.

MCPS applied for \$100,000 from the state grant program (the maximum allowable award) and was awarded \$60,000. The grant funds are being used at Christiansburg Elementary School, Christiansburg Primary Schools, Christiansburg High School, and Harding Avenue Elementary School. Security equipment was purchased for Falling Branch Elementary School through the required district matching funds clause in the grant. MCPS will continue to apply for state grants to support improved security on every campus, such as additional door hardware improvements, exterior lighting, and strategic placement of additional keyless systems.

Rather than install basic security equipment upgrades piecemeal over several years, it is prudent to immediately provide a basic system of upgrades at every school. The recommended core security system improvements at every school include keyless entry system for primary entrances/exits; audio/video door entry system; and monitoring improvements for other building areas as needed. The estimated cost to complete the installation of core system at all remaining schools is \$388,000, with an average cost of \$26,000 per school.

I appreciate the Board of Supervisors' consideration of this request. Basic safety equipment improvements at every school are necessary. If you have further questions concerning this request, I can be reached at 382-5100, ext. 1002.

Sincerely,
Brenda Blackburn
Superintendent"

Security Upgrade Status and Work Plan

Montgomery County Public Schools, in conjunction with the local first responders, have established a core standard for building security systems. This core standard is composed of:

1. Audio/Visual intercom buzz-in system with electronic locks for main entrances.

2. Main entrance public view security video monitor.
3. Keyless /badge entry with centrally controlled electronic locks for high traffic doors and access to the main building from mobile units.

MCPS has acquired a state grant of \$60,565.00 to begin this work at FBE; CHS; CES; CPS; and HAE. The grant was matched with \$25,000 provided to the school system by the Montgomery County Board of Supervisors. The current status of the project is:

1. FBE complete.
2. CPS waiting on video monitor to complete.
3. CES in process
4. HAE out to bid.
5. CHS in design process.

The current request to the Board of Supervisors is for funds to complete the remaining balance of the schools to the adopted standard. The following is a summary for all schools:

	# of Portables	Audio/Video Door Entry System	Keyless Entry System	Security Camera & Monitor	Funded
FBE	8	Complete	Complete	Complete	Grant
CPS	5	Complete	Complete	In Process	Grant
CES	5	In Process	In Process	In Process	Grant
HAE	0	In Process	In Process	In Process	Grant
CHS	3	Out to Bid	Out to Bid	Out to Bid	Grant
AES	0	None	None	None	None
MBES	0	None	None	None	None
BES	0	None	None	None	None
GLE	0	None	None	None	None
KES	0	None	None	None	None
BMS	0	None	None	None	None
CMS	0	None	None	None	None
SMS	0	None	None	None	None
EMHS	0	None	None	None	None
OCMS	1	None	None	None	None
PFE	0	Electronic Lock Only	None	None	None
EMES	0	Electronic Lock Only	None	None	None
BHS	0	Complete	None	None	None
AHS	0	Complete	None	None	None

Security enhancements for Independence Secondary and Rivendell are in the planning process. The design decisions are related to decisions about the long term housing plans for the programs. Independence Secondary is currently located in a leased building and Rivendell is at Wilson House. Once funding is approved, the project plans is to complete the Audio/Video Door Entry System and Security Camera & Monitor as a first installation wave at all buildings beginning with the elementary schools. The second wave will be focused on completion of the Keyless

Entry System, again starting with the elementary schools and moving to the secondary. It is anticipated that all Audio/Video Door Entry Systems will be complete by the end of the school year. Stage two of the work will take place during the summer of 2014.

BOARD MEMBERS' REPORTS

Supervisor Biggs - VACo Annual Conference was held November 10-12, 2013. VACo adopted their legislative priorities which includes the following:

- Stormwater Management- Requests the General Assembly to delay the stormwater management program by one year.
- Unfunded Teacher Pension Liability – VACo voted unanimously to urge the General Assembly to take positive action to maintain teacher pensions as a joint responsibility between the state and its localities. The current statewide unfunded teacher pension liability is \$15.2 billion. And VACo urges the state to pay its portion of teacher pensions directly to the Virginia Retirement System so that liability for teacher pensions is proportionately shared between the state and localities.

Also, VACo announced the formation of the VACo/VML Virginia Investment Pool (VIP), a short-term financial program for local governments and authorities. This is an opportunity to jointly invest in relatively short-term, conservative fixed income investments as a way to improve their earnings on operating and reserve funds.

Supervisor Tuck reported that Shelor Motor Mile is hosting the second annual “Growing the Future” talent show. Area high schools held their own talent show and the winners will be competing at the regional talent show on November 23, 2014 at the Blacksburg High School. Winners will receive a monetary prize for themselves and their schools as follows:

First Place	\$20,000 to the School and \$2,500 to the student
Second Place	\$10,000 to the School and \$1,500 to the student
Third Place	\$5,000 to the School and \$1,000 to the student
Fourth Place	\$2,500 to the School and \$500 to the student.

ADJOURNMENT

The Chair declared the meeting adjourned to Monday, November 25, 2013 at 6:00 p.m. The meeting adjourned at 8:30 p.m.

APPROVED _____	ATTEST: _____
James D. Politis Chair	F. Craig Meadows County Administrator